

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, November 12, 2013**

Present: Commissioner President Francis Jack Russell
Commissioner Lawrence D. Jarboe
Commissioner Todd B. Morgan
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Dr. Rebecca Bridgett, County Administrator
Sharon Ferris (Recorder)

CALL TO ORDER

Commissioner President Russell called the business meeting to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve the minutes of November 5, 2013, as presented. Motion carried 5-0.

COUNTY ADMINSTRATOR

1. Draft Agenda for November 19, 2013 and December 3, 2013. There will be no meeting on November 26, 2013.
2. **Circuit Court** (*Bob Kelly, Director, Dept. of Emergency Services and Technology; Captain Edward Willenborg, Sheriff's Office*)

Commissioner Morris moved, seconded by Commissioner Jones, to approve and accept the Courthouse Security Enhancement Grant award, Project MD1468, from the Maryland Administrative Office of the Courts on behalf of the Circuit Court for St. Mary's County for courthouse security enhancements in the amount of \$48,335; and to authorize Commissioner President Russell to execute the related budget amendment to increase the project budget by \$48,335. Motion carried 5-0.

3. Department of Recreation and Parks (*Brian Loewe, Director*)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the FY14 National Recreational Trails Memorandum of Understanding for the Three Notch Trail Phase VI, Project PA1101, in the total amount of \$40,000. Motion carried 5-0.

4. County Administrator (*Dr. Rebecca Bridgett; Elaine Kramer, CFO, Dept. of Finance*)

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve a temporary suspension of the Agreement between the County and the St. Mary's County Community Development Corporation, to waive CDC's 15% contribution costs during the period that Ms. Finnacom serves as the Acting Director of DECD, and I also move to approve and authorize Commissioner President Russell to execute the budget amendment decreasing the budget revenue and expenses related to this revision. Motion carried 5-0.

APPOINTMENTS TO MD ASSOCIATION OF COUNTIES (MACO) 2014 LEGISLATIVE COMMITTEE AND TRI COUNTY COUNCIL

Commissioner Morgan moved, seconded by Commissioner Morris, to

(1) reappoint Commissioner President Jack Russell as the 2014 MACo Legislative Committee Member and Commissioner Cindy Jones as the alternate member and

(2) reappoint Commissioner Todd Morgan as the Tri County Council Commissioners' representative and Mary Lynn Stone as the St. Mary's County Citizen At-large member. Motion carried 5-0.

DEPT. OF LAND USE AND GROWTH MANAGEMENT: PROPOSED TEXT AMENDMENT TO ALLOW A MICRO BREWERY AND A PUB BREWERY

Present: Yvonne Chaillet, Zoning Administrator, Dept. of Land Use and Growth Management

The purpose of this amendment is to allow a micro-brewery and a pub-brewery to operate in the County in accordance with recently enacted changes to Article 2B of the *Annotated Code of Maryland* which added St. Mary's County to the list of counties where a Class 7 micro-brewery license and a Class 6 pub-brewery license could be issued. A Class 7 micro-brewery may not collectively brew, bottle or contract for more than 22,500 barrels of malt beverages each calendar year. A pub-brewery must be located in or attached to the restaurant where the brewed beverage will be sold. A Class 6 pub-brewery may brew up to 2,000 barrels of malt beverages at a single location for consumption on the restaurant premises.

Commissioner Jones moved, seconded by Commissioner Morgan, to authorize the Department of Land Use and Growth Management to schedule a public hearing on the proposed amendment to the St. Mary's County Comprehensive Zoning Ordinance to allow a micro-brewery and a pub-brewery. Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events of the past week

PUBLIC HEARING: PROPOSED AMENDMENT TO INTERNATIONAL RESIDENTIAL CODE, APPENDIX G (SWIMMING POOLS)

Commissioner President Russell opened the Public Hearing at 10:00 am.

Present: Phil Shire, Director, LUGM
Brian Taylor, Code Coordinator

Mr. Shire noted for the record that notice of this public hearing was posted in *The Enterprise Newspaper* October 25 and 30, 2013. A large amount of public comment was presented at the August 6 Public Forum at Valley Lee regarding swimming pool permits. Citations had been issued to several individuals who did not obtain permits for above ground and blow up pools, and they were requesting a clear definition of what constitutes the need to obtain a permit. The Department of Land Use and Growth Management intended to include the amendment specific to swimming pools with a comprehensive adoption of local amendments to the 2012 International Residential Code (IRC); however, following the public forum, staff determined the need to adopt an Ordinance to exempt above-ground and on-ground pools and portable spas from Appendix G of the IRC prior to a comprehensive revision.

There were no public comments. Commissioner Russell stated the record would be left open for an additional 10 days to receive public comments on this matter and closed the public hearing at 10:15 am. Commissioner Morgan suggested that due to the upcoming holiday, the record be left open until after the December 3 Public Forum.

ADJOURNMENT

Commissioner Russell adjourned the Board of County Commissioners meeting at 10:18 am.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)